

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814



(916) 323-0503

July 15, 1988

CMSP Letter 88-5

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CMSP ELIGIBILITY MANUAL REVISIONS

This transmits two (2) copies of revisions to the County Medical Services Program (CMSP) Eligibility Manual. Please reproduce sufficient copies of those revisions and place them in existing copies of the CMSP Eligibility Manual. The most recent CMSP Letter containing manual revisions was 88-2 (February 16, 1988).

These revisions include:

1. Section 0507. Gross Unearned Income - Amends section to delete reference to Veterans' Aid and Attendance Payments, which are now considered third party payments and not income.
2. Section 0511. Value of Income in Kind - Amends section to update Income in Kind levels, effective July 1, 1988.
3. Section 0605. Maintenance Need Levels - Amends section to update Maintenance Need levels, effective July 1, 1988.
4. Section 0658. Form CMSP 177S Processing Amends section to include address of Data Systems Branch.
5. Section 0749. Control of County Issued CMSP Cards Amends section to include address of Data Systems Branch.
6. Section 0772. Veterans' Aid and Attendance Payments - Adds new section to reflect policy change regarding the treatment of Veterans' Aid and Attendance Payments as third party payments and not income.

FILING INSTRUCTIONS

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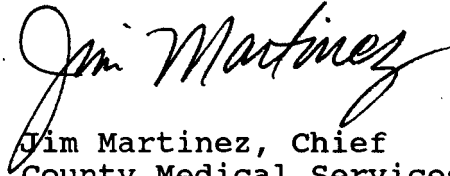
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If you have any questions regarding these revisions, please contact Albert Cooper of my staff at (916) 324-4892.

Sincerely,

A handwritten signature in black ink that reads "Jim Martinez". The signature is fluid and cursive, with the first name "Jim" and last name "Martinez" clearly distinguishable.

Jim Martinez, Chief
County Medical Services Program

CMSP Contact Persons

business deductions allowed by the Internal Revenue Service from the gross business income.

0507. Gross Unearned Income

Gross unearned income includes:

(1) Old age, survivors and disability insurance payments from the Social Security Administration (OASDI).

(2) Annuities, which are sums paid yearly or at other specific intervals in return for payment of a fixed sum by the annuitant.

(3) Pensions

Retirement payments

Disability payments from an employer or from insurance

(6) Veteran's payments which include:

Pensions based on need

Compensation payments.

Educational assistance.

(7) Worker's Compensation, except for any amount determined to be unavailable in accordance with Section 0515

(8) Railroad Retirement and any other payments made by the Railroad Retirement Board.

(9) Unemployment Insurance Benefits.

(10) Proceeds from a life insurance policy which are in excess of the lesser of:

\$1,500.

(B) The amount expended on the insured person's last illness and burial expenses

Other insurance payments

- (12) Loans which do not require repayment.

Gifts.

- (14) Nonexempt child support, whether provided voluntarily or by court order.

Alimony payments

- (16) Inheritances which are in the form of cash, securities or other liquid assets.

Contributions from any source.

Prizes and awards.

- (19) Net income from the rental of real or personal property which is not considered gross earned income in accordance with Section 0503 (a) (8).

Dividends.

- (21) Interest payments from any source, including trust, trust deeds and contracts of sale.

- (22) Royalties, including but not limited to payments to a holder of a patent or copyright, for the use of the invention, or to the owner of a mine, oil well or similar holdings, for the extraction of the product or other use.

- (23) Income of a PA or Other PA recipient which is not used to determine the recipient's eligibility.

Incentive payments or training allowances under JTPA.

- (25) Any other income which is available to meet current needs in accordance with Section 0513.

- (26) Any of the items specified in (10) through (25) if received in a lump sum payment.

0511. Value of Income In Kind.

(a) The value of the income in kind for the items specified in Section 0509 (a), shall be the actual cost or net market value of the item, or the following amounts, whichever is less.

(1) Housing.

- (A) One person CFBU - \$146 per month.
- (B) Two person CFBU - \$197 per month.
- (C) Three person CFBU - \$215 per month.
- (D) Four person or larger CFBU - \$226 per month.

(2) Utilities, including telephone.

- (A) One person CFBU - \$32 per month.
Two person CFBU - \$36 per month.
Three person CFBU - \$38 per month.
- (D) Four person or larger CFBU - \$39 per month.

3) Food.

- (A) One person CFBU - \$82 per month.
Two person CFBU - \$174 per month.
Three person CFBU - \$222 per month.
Four person CFBU - \$273 per month.
Five person CFBU - \$331 per month.
Six person CFBU - \$383 per month.
Seven person CFBU - \$427 per month.
Eight person CFBU - \$468 per month.
Nine person CFBU - \$513 per month.
 - (J) Ten person or larger CFBU - \$556 per month.
- (4) Clothing.

- (A) One person CFBU - \$26 per month.
- (B) Two person CFBU - \$47 per month.
- (C) Three person CFBU - \$72 per month.
- (D) Four person CFBU - \$96 per month.
- (E) Five person CFBU - \$120 per month.
- (F) Six person CFBU - \$142 per month.
- (G) Seven person CFBU - \$170 per month.
- (H) Eight person CFBU - \$190 per month.
- (I) Nine person CFBU - \$217 per month.
- (J) Ten person or larger CFBU - \$238 per month.

(b) If one of the items listed in 0509 (a) is shared with persons who are not included in the CFBU and who are not responsible for members of the CFBU, the income in kind value to the members of the CFBU shall be the lesser of:

- (1) Their share of the net market value or actual cost of the item.
- (2) The value listed in (a).

0513. Availability of Income.

(a) Only income which is actually available to meet the needs of a person or family shall be considered in determining that person's or family's share of cost.

(b) Income shall be considered available in the month it is received unless it is:

- (1) To be apportioned over time in accordance with Section 0517.
- (2) Unavailable in accordance with Section 0515.

Article 9. Maintenance Need

0601. Maintenance Need -- General.

The amount of income a person or family is allowed to retain for living expenses shall be the maintenance need for the members of the CFBU living in the home as determined in accordance with Section 0603.

0603. Maintenance Need -- Persons Living in the Home

The maintenance need for the members of the CFBU living in the home shall equal the Medi-Cal maintenance need level for a family group of corresponding size.

0605. Maintenance Need Levels

<u>Number of Persons in CFBU</u>	<u>Maintenance Need</u>
1 person in all situations	\$ 575
2 persons	\$ 714
2 adults	\$ 892
3 persons	\$ 892
4 persons	\$1,059
5 persons	\$1,200
6 persons	\$1,350
7 persons	\$1,484
8 persons	\$1,617
9 persons	\$1,742
10 persons	\$1,875

For each additional person add \$13.

(2) The services listed were provided to persons listed on form CMSP 177S

(3) Each service listed was provided within the month specified on the form

(4) There is a provider number or Social Security number, and a provider signature for each service listed.

(5) The procedure number, prescription number or the name of each service is listed.

(6) The total of the Billed Patient column equals the share of cost

(7) The beneficiary or the beneficiary's representative has signed the form

(b) If the items specified above are not completed correctly, the following action shall be taken:

(1) The county department shall attempt to obtain the information necessary for completion of form CMSP 177S verbally from either of the following:

(A) The beneficiary.

(B) The provider.

(2) If the information necessary to correct form CMSP 177S cannot be obtained verbally the county department shall:

(A) Identify the information needed

(B) Return the form to the beneficiary.

(3) When the amount shown in the Billed Patient column is in excess of the share of cost amount, the county department shall:

(A) Explain to the beneficiary that the amount shown in the Billed Patient column is the amount for which he has assumed legal responsibility.

(B) Attempt to correct the error in accordance with (b) (1) and (2) if the beneficiary states that the assumption of legal responsibility for the cost of services in excess of the share of cost was not intentional.

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(c) After form CMSP 177S has been determined to be correct and complete, the following action shall be taken, unless the conditions specified in (d) are met.

(1) Form CMSP 177S with a copy of form MC 176M (MC 176M forms used for CMSP share of cost determinations, shall be stamped "CMSP"), if form MC 176M is necessary in accordance with Department procedures, is submitted to Data Systems Branch at the address listed in (e) below.

Data Systems Branch will certify that the share of cost has been met

(3) The Department will issue CMSP cards to the persons included in the CFBU.

(d) If the beneficiary signs a Certification of Medical Need/Request for CMSP card, which indicates a need for medical services prior to normal anticipated receipt of a Department issued CMSP card, the county department shall:

(1) Enter the date of certification for claims clearance on form CMSP 177S.

(2) Issue a CMSP card to each person who has been listed on the form as having an immediate need. Card issuance procedures specified in Article 14 shall be followed.

(3) Indicate on form CMSP 177S and form MC 176M the persons who have been issued a card.

(4) Forward form CMSP 177S and form MC 176M, if necessary, to Data Systems Branch at the address listed in (e) below.

(e) All CMSP 177S forms should be forwarded to:

Department of Health Services
Data Systems Branch
ATTN: Key Data Entry Unit
P.O. Box 160400
Sacramento, CA 95816-0400

0660. CFBUs Which Include a Title II Disregard Person (Pickle Eligibles).

(a) The CFBU members with a share of cost shall have their case processed in accordance with Section 0655. Those services received by the Pickle Eligible shall not be used to meet the CFBU members share of cost.

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(c) All HAS 2007 or approved substitute forms should be forwarded to:

Department of Health Services
Data Systems Branch
ATTN: Data Guidance Unit
P.O. Box 160400
Sacramento, CA 95816-0400

0750. Retroactive Medi-Cal Card Issuance and Recipient Notification.

If a CMSP recipient is determined eligible for Medi-Cal retroactive to the CMSP eligibility date, the county shall:

(a) Revise the client's eligibility history by:

(1) Performing a EW-30 transaction to update the client's 13-month MEDS history for the appropriate retroactive months.

(2) Performing an EW-50 transaction to update the client's eligibility history for the appropriate retroactive months beyond the 13-months MEDS history

(b) Issue Medi-Cal cards only for those retroactive months in which non-CMSP medical services were provided. An EW-15 transaction must be performed to generate retroactive card issuance.

(c) Notify the recipient of the change in eligibility status, and advise the client of the rights and responsibilities under Medi-Cal and the scope of Medi-Cal benefits.

0751. Report of Eligible Beneficiaries.

(a) The Department shall compile a monthly report of all persons eligible for CMSP. This report of eligible beneficiaries shall include all persons:

(1) Certified for CMSP by the county department and reported to the Department for issuance of CMSP cards.

(2) Certified for CMSP and issued CMSP cards by the county department.

(3) With a share of cost. These persons are reported as eligible but not certified for CMSP.

(4) Certified for CMSP and issued CMSP cards by Benefits Review Unit.

(b) The county department shall report the information specified in (a) (1), (2) and (3) in a timely manner in accordance with department procedures

- (2) The name and address of the:
 - (A) Attorney handling the case.
 - (B) Insurance carriers responsible for payment

0772. Veterans Aid and Attendance Payments.

(a) Veterans Aid and Attendance Payments, a veterans benefit designated to purchase aid and attendance services, shall be considered a third party payment.